

ASSEMBLY BILL

No. 1944

Introduced by Assembly Member Fletcher

February 17, 2010

An act to amend Section 5007 of, and to add Section 5007.3 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1944, as introduced, Fletcher. Vehicles: special license plates: disabled veterans.

Under existing law, the Department of Motor Vehicles is required, upon application and without additional fees, to issue a special license plate or plates to a disabled person, a disabled veteran, or an organization or agency involved in the transportation of those persons pursuant to procedures adopted by the department.

This bill would delete “disabled veteran” from these provisions and instead establish new requirements for the issuance of a special license plate or plates to a disabled veteran or an organization or agency involved in the transportation of those persons that would require that the Department of Veterans Affairs certify on a form prescribed by the Department of Motor Vehicles that the veteran is disabled as a result of an injury or disease suffered while on active service with the Armed Forces of the United States.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 5007 of the Vehicle Code is amended to read:

5007. (a) The department shall, upon application and without additional fees, issue a special license plate or plates pursuant to procedures adopted by the department to the following:

(1) A disabled person.

~~(2) A disabled veteran.~~

~~(3)~~

(2) An organization or agency involved in the transportation of disabled persons ~~or disabled veterans~~ if the vehicle that will have the special license plate is used solely for the purpose of transporting those persons.

(b) The special license plates issued under subdivision (a) shall run in a regular numerical series that shall include one or more unique two-letter codes reserved for disabled person license plates ~~or disabled veteran license plates~~. The International Symbol of Access adopted pursuant to Section 3 of Public Law 100-641, commonly known as the “wheelchair symbol” shall be depicted on each plate.

(c) (1) Prior to issuing a special license plate to a disabled person ~~or disabled veteran~~, the department shall require the submission of a certificate, in accordance with paragraph (2), signed by the physician and surgeon, or to the extent that it does not cause a reduction in the receipt of federal aid highway funds, by a nurse practitioner, certified nurse midwife, or physician assistant, substantiating the disability, unless the applicant’s disability is readily observable and uncontested. The disability of a person who has lost, or has lost use of, one or more lower extremities or one ~~hand, for a disabled veteran~~, or both hands ~~for a disabled person~~, or who has significant limitation in the use of *his or her* lower extremities, may also be certified by a licensed chiropractor. The blindness of an applicant shall be certified by a licensed physician and surgeon who specializes in diseases of the eye or a licensed optometrist. The physician and surgeon, nurse practitioner, certified nurse midwife, physician assistant, chiropractor, or optometrist certifying the qualifying disability shall provide a full description of the illness or disability on the form submitted to the department.

1 (2) The physician and surgeon, nurse practitioner, certified nurse
2 midwife, physician assistant, chiropractor, or optometrist who
3 signs a certificate submitted under this subdivision shall retain
4 information sufficient to substantiate that certificate and, upon
5 request of the department, shall make that information available
6 for inspection by the Medical Board of California or the appropriate
7 regulatory board.

8 (d) A disabled person ~~or disabled veteran~~ issued a license plate
9 or plates under this section shall, upon request, present to a peace
10 officer, or person authorized to enforce parking laws, ordinances,
11 or regulations, a certification form that substantiates the eligibility
12 of the disabled person ~~or veteran~~ to possess the plate or plates. The
13 certification shall be on a form prescribed by the department and
14 contain the name of the disabled person ~~or disabled veteran~~ to
15 whom the plate or plates were issued, and the name, address, and
16 telephone number of the medical professional described in
17 subdivision (c) who certified the eligibility of the person ~~or veteran~~
18 for the plate or plates.

19 (e) The certification requirements of subdivisions (c) and (d)
20 do not apply to an organization or agency that is issued a special
21 license plate or plates under paragraph ~~(3)~~ (2) of subdivision (a).

22 (f) The special license plate shall, upon the death of the disabled
23 person ~~or disabled veteran~~, be returned to the department within
24 60 days or upon the expiration of the vehicle registration,
25 whichever occurs first.

26 (g) When a vehicle subject to paragraph ~~(3)~~ (2) of subdivision
27 (a) is sold or transferred, the special license plate or plates issued
28 to an organization or agency under paragraph ~~(3)~~ (2) of subdivision
29 (a) for that vehicle shall be immediately returned to the department.

30 SEC. 2. Section 5007.3 is added to the Vehicle Code, to read:

31 5007.3. (a) The department shall, upon application and without
32 additional fees, issue a special license plate or plates pursuant to
33 procedures adopted by the department to the following:

34 (1) A disabled veteran.

35 (2) An organization or agency involved in the transportation of
36 disabled veterans if the vehicle that will have the special license
37 plate is used solely for the purpose of transporting those persons.

38 (b) The special license plates issued under subdivision (a) shall
39 run in a regular numerical series that shall include one or more
40 unique two-letter codes reserved for disabled veteran license plates.

1 The International Symbol of Access adopted pursuant to Section
2 3 of Public Law 100-641, commonly known as the “wheelchair
3 symbol” shall be depicted on each plate.

4 (c) (1) Prior to issuing a special license plate or plates to a
5 disabled veteran, the department shall require certification from
6 the Department of Veterans Affairs that the disabled veteran has
7 a service-connected disability described in Section 295.7.

8 (2) The Department of Veterans Affairs shall retain information
9 sufficient to substantiate the disabled veteran’s certificate and,
10 upon request of the department, shall make that information
11 available for inspection by the Medical Board of California or the
12 appropriate regulatory board.

13 (d) A disabled veteran issued a license plate or plates under this
14 section shall, upon request, present to a peace officer, or person
15 authorized to enforce parking laws, ordinances, or regulations, the
16 certification that substantiates the eligibility of the disabled veteran
17 to possess the plate or plates. The certification shall be on a form
18 prescribed by the department and contain the name of the disabled
19 veteran to whom the plate or plates were issued, and the name,
20 office address, and telephone number of the person from the
21 Department of Veterans Affairs who certified the eligibility of the
22 veteran for the plate or plates.

23 (e) The certification requirements of subdivisions (c) and (d)
24 do not apply to an organization or agency that is issued a special
25 license plate or plates under paragraph (2) of subdivision (a).

26 (f) The special license plate shall, upon the death of the disabled
27 veteran, be returned to the department within 60 days or upon the
28 expiration of the vehicle registration, whichever occurs first.

29 (g) When a vehicle subject to paragraph (2) of subdivision (a)
30 is sold or transferred, the special license plate or plates issued to
31 an organization or agency under paragraph (2) of subdivision (a)
32 for that vehicle shall be immediately returned to the department.